UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

JEFFREY MORRIS, TARAS KICK, : REBECCA SALAWDEH and STACEY : ANTALEK, on Behalf of Themselves and All : Others Similarly Situated, :

Plaintiffs,

vs.

CBS BROADCASTING, INC., CBS CONSUMER PRODUCTS, PLANET TOYS, INC., TOYS "R" US, INC., WALGREEN CO. and HAMMACHER SCHLEMMER & CO., INC.,

Defendants.

Civil Action No. 08-CV-0592(HB)

CLASS ACTION

NOTICE OF MOTION AND MOTION TO ADMIT THOMAS J. O'REARDON II PRO HAC VICE PLEASE TAKE NOTICE upon the annexed Declaration of Joseph P. Guglielmo in Support of the Motion to Admit Thomas J. O'Reardon II *Pro Hac Vice* and the Certificate of Good Standing attached thereto, plaintiffs Jeffrey Morris, Taras Kick, Rebecca Salawdeh and Stacey Antalek move this Court, pursuant to Rule 1.3(c) of the Local Civil Rules of this Court, that Thomas J. O'Reardon II, a member of the Bar of the State of California and an associate at the law firm of Coughlin Stoia Geller Rudman & Robbins LLP, be admitted *pro hac vice* for all purposes on behalf of plaintiffs in this action.

DATED: June // , 2008

WHATLEY, DRAKE & KALLAS, LLC JOE R. WHATLEY, JR. EDITH M. KALLAS JOSEPH P. GUGLIELMO ELIZABETH ROSENBERG

JOSEPH P. GUGLIELMO

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CERTIFICATE OF SERVICE

I hereby certify that on June 20, 2008, I caused a true and correct copy of the foregoing Motion to Admit Thomas J. O'Reardon II *pro hac vice*, Affidavit of Joseph P. Guglielmo in Support of Motion to admit Thomas J. O'Reardon II *pro hac vice*, Certificates of Good Standing and [Proposed] Order on Admission to Practice *Pro Hac Vice* to be sent to all attorneys of record via first class mail.

Elizabeth Rosenberg

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

JEFFREY MORRIS, TARAS KICK, REBECCA SALAWDEH and STACEY ANTALEK, on Behalf of Themselves and All: Others Similarly Situated,

Plaintiffs,

VS.

CBS BROADCASTING, INC., CBS CONSUMER PRODUCTS, PLANET TOYS, INC., TOYS "R" US, INC., WALGREEN CO. and HAMMACHER SCHLEMMER & CO., INC.,

Defendants.

Civil Action No. 08-CV-0592(HB)

CLASS ACTION

DECLARATION OF JOSEPH P. GUGLIELMO IN SUPPORT OF THE MOTION TO ADMIT THOMAS J. O'REARDON II PRO HAC VICE

I, Joseph P. Guglielmo, declare as follows:

- I am a member in good standing of the bar of this Court and a partner at Whatley, Drake & Kallas, LLC. I make this declaration in support of plaintiffs Jeffrey Morris, Taras Kick, Rebecca Salawdeh and Stacey Antalek's Motion to Admit Thomas J. O'Reardon II *Pro Hac Vice*, pursuant to Rule 1.3(c) of the Local Civil Rules of this Court, requesting that Thomas J. O'Reardon II be admitted *pro hac vice* for all purposes on behalf of plaintiffs in this action.
 - 2. Thomas J. O'Reardon II is fully familiar with this action.
- 3. Thomas J. O'Reardon II is an attorney in good standing of the Bar of the State of California, as evidenced by the annexed certificate.
- 4. I respectfully request that plaintiffs' motion be granted in all respects. A proposed order is enclosed herewith.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 19 th day of June, 2008 at New York, New York.

JOSEPH P. GUGLIELMO



Supreme Court of California

FREDERICK K. OHLRICH Clerk of the Court

CERTIFICATE OF THE CLERK OF THE SUPREME COURT

OF THE

STATE OF CALIFORNIA

THOMAS JOSEPH O'REARDON, II

I, FREDERICK K. OHLRICH, Clerk of the Supreme Court of the State of California, do hereby certify that THOMAS JOSEPH O'REARDON, II was on the 14th day of December 2006, duly admitted to practice as an attorney and counselor at law in all the courts of this state; and that his name now appears on the Roll of Attorneys as a member of the bar of this state in good standing.

> Witness my hand and the seal of the court, this 9th day of June, 2008.

FREDERICK K. OHLRICH

Clerk of the Supreme Court

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

JEFFREY MORRIS, TARAS KICK, : REBECCA SALAWDEH and STACEY : ANTALEK, on Behalf of Themselves and All : Others Similarly Situated, :

Plaintiffs,

VS.

CBS BROADCASTING, INC., CBS CONSUMER PRODUCTS, PLANET TOYS, INC., TOYS "R" US, INC., WALGREEN CO. and HAMMACHER SCHLEMMER & CO., INC.,

Defendants.

Civil Action No. 08-CV-0592(HB)

CLASS ACTION

[PROPOSED] ORDER GRANTING MOTION FOR ADMISSION OF THOMAS J. O'REARDON II *PRO HAC VICE* Upon the motion of plaintiffs Jeffrey Morris, Taras Kick, Rebecca Salawdeh and Stacey Antalek pursuant to Rule 1.3(c) of the Local Civil Rules of this Court, for an order admitting Thomas J. O'Reardon II *pro hac vice* for all purposes on behalf of plaintiffs in this action, and for good cause shown,

IT IS HEREBY ORDERED that the motion is GRANTED in all respects, subject to payment of the requisite fees.

DATED:

THE HONORABLE HAROLD BAER, JR. UNITED STATES DISTRICT JUDGE